

Message Text

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ACTION DLOS-05

INFO OCT-01 AF-06 IO-10 ISO-00 COA-01 EB-07 OES-03 EPA-01

CEQ-01 FEAE-00 INT-05 CIAE-00 DODE-00 PM-03 H-01

INR-07 L-02 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 COME-00 TRSE-00 ACDA-05 DOTE-00 CG-00 JUSE-00

CIEP-01 OIC-02 /091 W

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R 191344Z FEB 75

FM AMEMBASSY PRETORIA

TO SECSTATE WASHDC 1343

INFO AMEMBASSY BLANTYRE

AMCONSUL CAPE TOWN

:AMCONSUL DURBAN

AMEMBASSY GABORONE

AMCONSUL JOHANNESBURG

AMEMBASSY LUSAKA

AMEMBASSY MASERU

AMCONSUL LOURENCO MARQUES

AMEMBASSY MBABANE

AMEMBASSY OSLO

USMISSION USUN NY

C O N F I D E N T I A L PRETORIA 0599

CAPE TOWN FOR EMBASSY

OSLO PASS OXMAN

USUN FOR AMBASSADOR STEVENSON AND MR. MOORE

E.O. 11652: GDS

TAGS: PLOS, SF

SUBJ: LOS: CONSULTATIONS WITH SOUTH AFRICA

1. SUMMARY: SAG AND U.S. APPARENTLY SHARE MANY COMMON LOS
POSITONS. DIFFERENCES CENTER ON DESIRE OF SAG FOR COASTAL
STATE ENFORCEMENT ON 50-MILE POLLUTION ZONE AND FOR CONTROL OF
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PRICES OR PRODUCTION IN DEEP SEABED. END SUMMARY.

2. ON FEBRUARY 19, BILATERAL LOS CONSULTATION WERE HELD WITH N. STEYN AND P.D. OELOFSEN OF SAG DEPARTMENT OF FOREIGN AFFAIRS (DFA) BY NIRDQUIST, ACCOMPANIED BY EMBOFFS PRETORIA. BOTH STEYN AND OELOFSEN EXPECT TO BE ON SOUTH AFRICA'S DELEGATION TO GENEVA LOS CONFERENCE IF SAG PRIME MINISTER DECIDES TO CONCENTRATE ON BILATERAL MATTERS WITH BLACK AFRICA, AVOIDING RISK OF CONFRONTATION IN A MULTILATERAL FORUM.

3. NORDQUIST EXPLAINED U.S. POSITION ON MAJOR ISSUES IN LOS NEGOTIATION. FEW AREAS EMERGED WHERE SAG AND U.S. POSITIONS WERE NOT VERY SIMILAR. IN CONTEXT OF STRAITS DISCUSSION, OELOFSEN ASKED IF U.S. WAS CONSIDERING A SIX-MILE EXCEPTION TO SOLVE DANISH STRAITS PROBLEM. NORDQUIST NOTED THIS IDEA HAD BEEN FLOATED IN CARACAS, BUT THAT SOVIETS HAD EXPRESSED CONCEPTUAL CONCERN AS IT SEEMED TO BE IMPLICIT RECOGNITION OF THREE-MILE TERRITORIAL SEA. IN ANY CASE, U.S. POSITION DID NOT INCLUDE SIX-MILE EXCEPTION. OELOFSEN STATED THAT SAG WAS NOT ADVOCATING SIX-MILE EXCEPTION BUT WAS INTERESTED IN U.S. REACTION TO THIS PROPOSAL AS MEANS TO SATISFY SCANDINAVIANS.

4. OELOFSEN ALSO RAISED STATUS OF ARCHIPELAGO NEGOTIATIONS AS HE SAID HE HAD BEEN INFORMED BY U.S. IN CARACAS THAT WE WERE TRYING TO FIND A SOLUTION WITH PRINCIPAL ARCHIPELAGIC PROPONENTS. NORDQUIST RESPONDED THAT U.S. WAS OPPOSED TO ARCHIPELAGO PRINCIPLE. HOWEVER, IT WAS TRUE THAT JOHN NORTON MOORE HAD BEEN TRYING TO FIND AN ACCOMMODATION WITH SOME ARCHIPELAGIC CLAIMANTS. NORDQUIST SAID THESE NEGOTIATION WERE TIGHTLY HELD AND SUGGESTED THAT OELOFSEN RAISE SUBJECT WITH MOORE IN GENEVA. OELOFSEN INDICATED THAT SOUTH AFRICA DID SUPPORT U.S. POSITION ON NAVIGATION ISSUES. NEVERTHELESS, THEY BELIEVED THAT SOME SUBSIDIARY ISSUES MUST BE SATISFACTORILY RESOLVED TO OBTAIN BROADER U.S. OBJECTIVES.

5. AFTER OUTLINE OF U.S. POSITION ON SCIENTIFIC RESEARCH, OELOFSEN STATED SOUTH AFRICA COULD SUPPORT U.S. POSITION OF FLAG STATE OBLIGATIONS. WITH RESPECT TO MARINE POLLUTION, SOUTH AFRICA STRONGLY FAVORED INTERNATIONAL STANDARDS. HOWEVER, THEY BELIEVED THEY NEEDED COASTAL STATE ENFORCEMENT IN A 50- MILE ZONE. NORDQUIST EXPLAINED U.S. POSITION REGARDING PORT

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AND FLAG STATE ENFORCEMENT AS WELL AS DANGERS OF ANTI-POLLUTION ENFORCEMENT BECOMING ONE MORE ASPECT OF COASTAL STATE QUASI-TERRITORIAL CONTROL IN ECONOMIC ZONE.

6. IN ECONOMIC ZONE, SAG SUPPORTS HOST STATE MANAGEMENT OF SALMON AND INTERNATIONAL OR REGIONAL MANAGEMENT OF HIGHLY MIGRATORY SPECIES. THEY ARE PREPARED TO ALLOW LAND-LOCKED STATES ACCESS TO COASTAL FISHERIES ON A REGIONAL BASIS. SOUTH

AFRICANS DO NOT WANT TO SHARE PETROLEUM REVENUES FROM WITHIN 200-MILE ZONE (WHILE THEY HAVE NO OFFSHORE WELLS, PROSPECTING IS UNDERWAY). THEY ARE RELAXED WITH RESPECT TO COASTAL STATE CONTROL OVER CONTINENTAL MARGIN RESOURCES BEYOND 200 MILES. THEY ESTIMATE THAT ABOUT FIVE PERCENT OF THEIR MARGIN GOES BEYOND 200 MILES. IF COASTAL STATES DO ACQUIRE MANAGEMENT JURISDICTION OVER MARGIN BEYOND 200, SAG WOULD FAVORABLY CONSIDER REVENUE SHARING FROM THIS AREA.

7 SOUTH AFRICAN OUTLOOK ON DEEP SEABED NEGOTIATION SEEMED GENERALLY CLOSE TO U.S., ALTHOUGH THEY HAVE NO COMPANIES WHICH EXPECT TO EXPLOIT. SAG WANTS WEAK ASSEMBLY AND STRONG, IMPARTIAL DISPUTE SETTLEMENT MACHINERY. ONE AREA OF DIFFERENCE WITH U.S. IS THEIR CONCERN ABOUT ECONOMIC IMPACT ON SOUTH AFRICAN LAND-BASED MINERAL PRODUCTION AFTER DEEP SEABED MINING STARTS. NORDQUIST RESPONDED THAT OUR EXPERTS DID NOT EXPECT MUCH OF AN IMPACT AND THAT PROPOSED SOLUTION MIGHT BE WORSE THAN SUPPOSED PROBLEM.

8. ON QUESTION OF ACCESS TO SEA, OLOFSEN SEEMED LESS HARD THAN STEYN. SAG POSITION IS THAT NEIGHBORING LAND-LOCKED STATES SHOULD INITIATE DISCUSSIONS WHEREIN LAND-LOCKED STATES' DESIRES WILL BE SYMPATHETICALLY CONSIDERED. SAG POSITION PAPERS HAVE BEEN PREPARED FOR SUCH NEGOTIATIONS WITH BLS STATES AND ONLY A REQUEST IS NEEDED TO START BALL ROLLING. NORDQUIST REMARKED THAT THEIR LAND-LOCKED NEIGHBORS WOULD HAVE A GREAT INTEREST IN SOUTH AFRICA PARTICIPATION IN A MULTILATERAL LOS TREATY AND THAT THIS FACT MIGHT BE KEPT IN MIND SHOULD THEIR CREDENTIALS BE CHALLENGED AT GENEVA. U.S. VIEW WAS SAID TO BE THAT EQUITABLE SOLUTION SHOULD BE FOUND WHICH FOSTERED ECONOMIC DEVELOPMENT OF LAND-LOCKED STATE AND YET DID NOT THREATEN SECURITY OF TRANSIT STATE.

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9 STEYN ASKED WHAT U.S. POSITION WAS ON INCLUSION OF ANTARCTICA IN LOS. NORDQUIST OBSERVED THAT LOS PLATE SEEMED RATHER FULL WITHOUT ADDITIONAL ISSUES, BUT THAT U.S. POSITION WOULD BE GIVEN AT OSLO. NORDQUIST SAID THAT BERNIE OXMAN WOULD BE LOOKING AFTER U.S. LOS INTERESTS IN OSLO AND SUGGESTED THAT SAG REPRESENTATIVE MILLS (DEPUTY SECRETARY OF TRANSPORT) CONTACT OXMAN FOR RUN-DOWN ON U.S. POSITION. SOUTH AFRICANS ARE STRONGLY OPPOSED TO CONSIDERATION OF ANTARCTICA ISSUES AT LOS CONFERENCE.

10 COMMENT: SOUTH AFRICANS SEEMED PLEASED THAT THEY WERE CONSULTED ON LOS BEFORE GENEVA, AND DISCUSSIONS WERE MOST PLEASANT. GENERAL IMPRESSION THEY GAVE WAS THAT THEY WANTED TO SUPPORT U.S. LOS POSITIONS WHEREVER THEY COULD. THEIR REPRESENTATIVES ARE HIGHLY SOPHISTICATED AND RECOGNIZE THAT

SOMETIMES BEST HELP THEY CAN GIVE IS TO SAY NOTHING AT ALL.
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